HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.12119 of 1998

Dated 26th day of March, 2007

Between:

B. Ramappa and another .. Petitioners

And

The Chief Electoral Officer,
Hyderabad
and three others .. Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the order dated 15.3.1997 passed by the 3rd respondent-Revenue Divisional Officer, as illegal and arbitrary, and consequently direct him to delete the name of the 4th respondent from the voters' list of Kotlapalli village.

The brief facts of the case are that the petitioners are the toddy tappers of Kotlapalli village, and the 4th respondent is a toddy tapper of Suriganipalli village, H/o. Nidimamidi and he was enrolled as a member in the voters' list of Nidimamidi, but based on the wrong entry made in the voters' list of Kotlapalli village, he was granted TFT licence at Kotlapalli village. The Mandal Revenue Officer, Kotlapalli, after conducting a detailed enquiry, submitted a report dated 29.12.1996 stating that the 4th respondent is not a permanent resident of Kotlapalli village and he has not been given any ration card in Kotlapalli. Now, the grievance of the petitioners is that the 3rd respondent, without taking the report of the Mandal Revenue Officer in proper perspective, passed an order to the effect that the 4th respondent's name should be deleted from the voters' list of Nidimamidi village and continued in the voters' list of Kotlapalli village.

Heard the learned counsel for both the parties.

Having regard to the fact that the petitioners preferred an appeal before the 2nd respondent-District Collector, this Court deems it appropriate to direct the 2nd respondent to look into the matter and pass appropriate orders as to whether the 4th respondent's name shall be included or deleted from the voters' list of Kotlapalli village.

With the above direction, the writ petition is disposed of. No costs.

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26.03.2007

bcj